<center>REMARKS</center>

This application has been carefully reviewed in light of the Office Action dated April 28, 2010. Claims 1, 4, 11, 14, 21, 24 and 31 to 33 are pending in the application, of which Claims 1, 11 and 21 are independent. Reconsideration and further examination are respectfully requested.

Claims 1, 4, 11, 14, 21, 24, and 31 to 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 2002/82362-U.S. Pub. 2004/0187087 (Petz) in view of U.S. Patent No. 7,159,190 (Perry) and U.S. Publication No. 2001/044868 (Roztocil). These rejections are respectfully traversed, as explained in more detail below.

The present claims concern setting the conditions for color printing in a document. In one aspect of the invention, it is determined whether or not imported data is image data. Then, document data is generated from the image data where a new chapter is created for the imported data when it is determined that the imported data is not image data. Alternatively, the imported data is inserted into an existing chapter when it is determined that the imported data is image data. A first setting screen is used to set an entire color mode defining a color mode to be applied to the entire document data, a second display unit is used to set a chapter color mode defining the color mode to be applied to a selected chapter including a plurality of pages of the document data and a third display unit is used to set a page color mode defining the color mode to be applied to a selected page of the document data.

Turning to specific claim language, independent Claim 1 is directed to an information processing apparatus generating print data sent to a printer. The information processing apparatus includes a determining unit constructed to determine whether

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imported data is image data; a generating unit constructed to generate document data by

creating a new chapter for the imported data when the determining unit determines that the

imported data is not image data, and by inserting the imported data into an existing chapter

when the determining unit determines that the imported data is image data; a first display

unit constructed to display a first setting screen to set an entire color mode defining a color

mode to be applied to the entire document data generated by the generating unit; a second

display unit constructed to display a second setting screen to set a chapter color mode

defining the color mode to be applied to a selected chapter including a plurality of pages of

the document data generated by the generating unit, wherein the second setting screen is a

window different from the first setting screen; a third display unit constructed to display a

third setting screen to set a page color mode defining the color mode to be applied to a

selected page of the document data generated by the generating unit, wherein the third

setting screen is a window different from the first setting screen and the second setting

screen; and a print data generating unit constructed to generate print data including a color

mode changing command so that a printer prints a printed material on which the color

mode defined by the page color mode is applied to the selected page and the color mode

defined by the chapter color mode is applied to the selected chapter and the color mode

defined by the entire color mode is applied to the remaining portion of the document data

to which the page color mode and the chapter color mode are not applied when the entire

color mode is set in accordance with an instruction received via the first setting screen

displayed by the first display unit, the chapter color mode is set in accordance with an

instruction received via the second setting screen displayed by the second display unit and

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the page color mode is set in accordance with an instruction received via the third setting screen displayed by the third display unit.

Applicant respectfully submits that the cited references, namely Petz, Perry and Roztocil, considered either alone or in combination, fail to disclose or suggest all of the features of Claim 1. In particular, the cited references, either alone or in combination, fail to disclose or suggest at least the claimed feature of generating document data by creating a new chapter for the imported data when it is determined that the imported data is not image data, and by inserting the imported data into an existing chapter when it is determined that the imported data is image data.

At page 5, the Office Action concedes that Petz and Perry fail to teach the foregoing feature. Nevertheless, the Office Action relies on Rotztocil for this feature. Applicant respectfully submits that such reliance is misplaced, as explained in more detail below.

Roztocil is directed to the visual representation and manipulation of tabs on a production printer. In particular, Roztocil provides a graphic user interface which displays representations of a document to be produced by the production printer. The interface provides visual indicators to indicate the presence of ordered media within the document as well as the attributes applied to the pages of the document corresponding to the ordered media. The graphic user interface allows the operator to view the applied page features for each page of ordered media to verify they are correct prior to producing the document on the production printer. Further, the operator can modify incorrectly applied page features or add additional page features to correct errors. See Roztocil, Abstract.

As understood by Applicant, according to Roztocil, when a document involves tabbed separator pages, an operator may see a visual representation of a tab separator page within the document, such as a thumbnail. The visual representation may also display attributes of that separator page such as the position and size of the tab cut. Other attributes may also be displayed, such as ordering information which indicates to the operator where a particular insertion of ordered media fits into the document in relation to other ordered media inserted in the document. This allows the operator to ensure that the tab cuts are positioned appropriately among the inserted separator pages and that the tab labels are correct. See Roztocil, paragraph [0060]. Such tab labels require coordination between the operator of the job preparation station and the operator of the production output device to coordinate which type of tab sets will be used. The operator of the job preparation station can specify the type of tab set to use, so that the operator will know how they will appear when output by the production output device. Alternatively, the device can determine the type of tab set that needs to be loaded and can notify the operator to load the proper media. See Roztocil, paragraph [0066].

In addition, as shown in Figure 5, Roztocil is seen to disclose that when a photo, tab or other page is to be inserted, the photo, tab or other page is inserted at the indicated point by page insertion 506. See Roztocil, paragraph [0078].

Thus, Roztocil is seen to disclose that when a document involves tabbed separator pages, the visual representation of the tabbed pages is displayed accordingly. When a photo, tab or other page is to be inserted, the photo, tab or other page is merely inserted at the indicated point.

In contrast, the present claims recite generating document data based on whether imported data is determined to be image data. In particular, document data is generated by creating a new chapter for the imported data when it is determined that the imported data is not image data. On the other hand, when it is determined that the imported data is image data, document data is generated by inserting the imported data into an existing chapter.

In light of these deficiencies in the cited art, Applicant submits that Claim 1 is now in condition for allowance and respectfully requests same.

Amended independent Claims 11 and 21 are directed to a print data generating method and a computer-readable medium, respectively, substantially in accordance with the apparatus of Claim 1. Accordingly, Applicant submits that Claims 11 and 21 are also now in condition for allowance and respectfully requests same.

The other pending claims in this application are each dependent from the independent claims discussed above and are therefore believed allowable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.